

1 Introduced by the Land Use and Zoning Committee:
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4 **ORDINANCE 2026-175**

5 AN ORDINANCE GRANTING ADMINISTRATIVE DEVIATION
6 APPLICATION AD-26-06, FOR PROPERTY LOCATED IN
7 COUNCIL DISTRICT 8 AT 0 WAGES WAY, SOUTH OF NEW
8 BERLIN ROAD (R.E. NO. 106886-0010), AS DESCRIBED
9 HEREIN, OWNED BY MM HOMES OF JAX, LLC,
10 REQUESTING TO REDUCE THE REQUIRED MINIMUM LOT
11 AREA FROM 43,560 SQUARE FEET TO 27,007 SQUARE
12 FEET, IN ZONING DISTRICT RESIDENTIAL RURAL-ACRE
13 (RR-ACRE), AS DEFINED AND CLASSIFIED UNDER THE
14 ZONING CODE; ADOPTING RECOMMENDED FINDINGS AND
15 CONCLUSIONS OF THE LAND USE AND ZONING
16 COMMITTEE; PROVIDING FOR DISTRIBUTION;
17 PROVIDING AN EFFECTIVE DATE.
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19 **WHEREAS**, an application for an administrative deviation, **On File**
20 with the City Council Legislative Services Division, was filed by
21 Austin Rubashka, on behalf of the owner of property located in Council
22 District 8 at 0 Wages Way, south of New Berlin Road (R.E. No. 106886-
23 0010) (the "Subject Property"), requesting to reduce the required
24 minimum lot area from 43,560 square feet to 27,007 square feet, in
25 Zoning District Residential Rural-Acre (RR-Acre); and

26 **WHEREAS**, the Planning and Development Department has considered
27 the application and all attachments thereto and has rendered an
28 advisory recommendation; and

29 **WHEREAS**, the Land Use and Zoning Committee, after due notice
30 held a public hearing and having duly considered both the testimonial
31 and documentary evidence presented at the public hearing, has made

1 its recommendation to the Council; now, therefore

2 **BE IT ORDAINED** by the Council of the City of Jacksonville:

3 **Section 1. Adoption of Findings and Conclusions.** The

4 Council has considered the recommendation of the Land Use and Zoning
5 Committee and reviewed the Staff Report of the Planning and
6 Development Department concerning administrative deviation
7 Application AD-26-06, which requests to reduce the required minimum
8 lot area from 43,560 square feet to 27,007 square feet. Based upon
9 the competent, substantial evidence contained in the record, the
10 Council hereby determines that the requested administrative deviation
11 meets each of the following criteria required to grant the request
12 pursuant to Section 656.109(h), *Ordinance Code*, as specifically
13 identified in the Staff Report of the Planning and Development
14 Department:

15 (1) There are practical or economic difficulties in carrying out
16 the strict letter of the regulation;

17 (2) The request is not based exclusively upon a desire to reduce
18 the cost of developing the site, but would accomplish some result
19 that is in the public interest, such as, for example, furthering the
20 preservation of natural resources by saving a tree or trees;

21 (3) The proposed deviation will not substantially diminish
22 property values in, nor alter the essential character of, the area
23 surrounding the site and will not substantially interfere with or
24 injure the rights of others whose property would be affected by the
25 deviation;

26 (4) The proposed deviation will not be detrimental to the public
27 health, safety or welfare, result in additional public expense, the
28 creation of nuisances, or conflict with any other applicable law;

29 (5) The proposed deviation has been recommended by a City
30 landscape architect, if the deviation is to reduce required
31 landscaping; and

1 (6) The effect of the proposed deviation is in harmony with the
2 spirit and intent of the Zoning Code.

3 Therefore, administrative deviation Application AD-26-06 is
4 hereby approved.

5 **Section 2. Owner and Description.** The Subject Property is
6 owned by Austin Rubashka, and is legally described in **Exhibit 1**,
7 dated February 20, 2026, and graphically depicted in **Exhibit 2**, both
8 of which are attached hereto. The applicant is Austin Rubashka, 2695
9 Kaylor Lane, Jacksonville, Florida 32218; (971) 232-8667.

10 **Section 3. Distribution by Legislative Services.**
11 Legislative Services is hereby directed to mail a copy of this
12 legislation, as enacted, to the applicant and any other parties to
13 this matter who testified before the Land Use and Zoning Committee
14 or otherwise filed a qualifying written statement as defined in
15 Section 656.140(c), *Ordinance Code*.

16 **Section 4. Effective Date.** The enactment of this Ordinance
17 shall be deemed to constitute a quasi-judicial action of the City
18 Council and shall become effective upon signature by the Council
19 President and Council Secretary.

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21 Form Approved:

22
23 /s/ Dylan Reingold

24 Office of General Counsel

25 Legislation Prepared By: Stephen Nagbe

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